

**CHAPTER 18**

**SHELLSTOCK SHIPPER**

- Bullets are **notes** indicated in **blue** for clarification.
- The section number for an existing regulation is noted in brackets [18.01].
- New text or changes proposed in accordance with the **NSSP** compared to the existing regulations are indicated in **red italics**.
- New text or changes proposed by the **Department** in addition to the NSSP are indicated in **bold plum and underlined**.
- The electronic copy is available at [www.maine.gov/dmr/](http://www.maine.gov/dmr/)

**Chapter 18 - Shellstock Shipper**

- **Chapter 18 has been updated for compliance with the NSSP and HACCP rules per federal regulations.**
- **Note that chapters 17, 18 and 19 have been reordered according to their respective decreasing order of restrictions.**

**18.01    [15.02, 19.03]Compliance**

- A. **Each dealer shall comply with all shellfish laws and regulations relating to shellfish handling and sanitation, including, but not limited to, the requirements specified in Chapter 15, Chapter 16 and Chapter 17 that are appropriate to the plant and the food being processed.**
- B. A violation of this regulation shall be punishable as a Class D crime, as provided by 12 M.R.S.A. §6204, or by license enforcement actions in **District Court or by the Department**, and may result in the imposition of fines by the District Court for regulation violations or non renewal of a shellfish certificate. **[ditto my previous comments on other Chapters regarding this provision]**

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**DOES NOT REPRESENT DEPARTMENT POLICY/REGULATION**  
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- **Section 18.02 defines what the shellstock shipper is authorized to do in accordance with the NSSP.**

**18.02 [19.01, 19.02]      Shellstock Shipper**

The holder of a shellstock shipper certificate may purchase, **store**, sell, **pack**, ship and transport shellstock. A shellstock shipper certificate holder may purchase and sell shucked shellfish obtained from a shucker- packer certificate holder, but shall not shuck shellfish or repack shucked shellfish. **A shellstock shipper shall have a facility for proper storage and/or repacking of shellstock, including a means of dry storage of shellfish, such as a walk-in cooler.**

**18.03    Receiving Critical Control Point - Critical Limits.**

**The shellstock shipper may only purchase shellstock and shucked shellfish which is:**

**A.    Obtained from a licensed harvester who has:**

- 1.    harvested the shellstock from an approved or conditionally approved area in the open status as indicated by the tag; and**
- 2.    Identified the shellstock with a tag on each container or transaction record on each bulk shipment; or**

**B.    Obtained from a certified dealer who has identified the shellfish with a tag or label on each container.**

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**18.04    *Shellstock Storage Critical Control Point - Critical Limits.***

***A.    The shellstock shipper shall ensure that:***

- 1.    If onshore wet storage is practiced, water quality meets the requirements outlined in Chapter 15.34 and/or 15.35;***
- 2.    If nearshore wet storage is practiced, water quality meets the requirements outlined in Chapter 15.34; and***

***B.    Once placed under temperature control and until sale to the processor or final consumer, shellstock shall:***

- 1.    Be placed in a storage area or conveyance with mechanical refrigeration and maintained at 45 °Fahrenheit (7.2 °Centigrade) or less; and***
- 2.    Not be permitted to remain without ice for more than 2 hours at points of transfer such as loading docks.***

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***18.05 Shucked Meat Storage Critical Control Point - Critical Limit.***

***The shellstock shipper shall store shucked and packed shellfish in covered containers off the floor and at an ambient air temperature in the storage area of 45 °F (7.2 °C) or less.***

- A. In the event that shellfish have been frozen, the frozen shellfish shall be held at or below 0 °F.***
- B. Once placed under temperature control and until sale to the processor or final consumer, shucked shellfish shall:***
  - 1. Be placed and stored in a storage area or conveyance with mechanical refrigeration and maintained at 45 °F (7.2 °C) or less; and***
  - 2. Not be permitted to remain without ice for more than 2 hours at points of transfer such as loading docks.***